

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CHARLES HINES, JR.,)
Plaintiff,) Civil Action No. 07 - 1524
v.) District Judge Arthur J. Schwab
DUKE THOMAS, MD.,) Magistrate Judge Lisa Pupo Lenihan
Defendant.)
)

MEMORANDUM ORDER

The above captioned case was initiated by the filing of a Motion to Proceed *In Forma Pauperis* (doc. no. 1) on November 9, 2007, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

Magistrate Judge Lisa Pupo Lenihan filed a Report and Recommendation on January 17, 2008 (doc. no. 5), recommending that the Complaint be dismissed with prejudice in accordance with the directives of the Prison Litigation Reform Act. Plaintiff was granted two extensions of time within which to file objections and was notified no further extensions would be granted. No objections have been filed.

After *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 26th day of March, 2008;

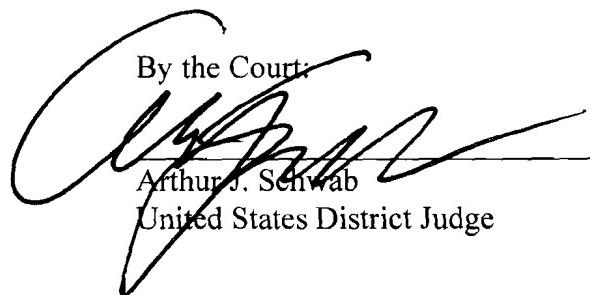
IT IS HEREBY ORDERED that the Complaint is **DISMISSED** with prejudice in accordance with the directives of the Prison Litigation Reform Act under 28 U.S.C. § 1915(e)(2)(B).

IT IS FURTHER ORDERED that the Report and Recommendation (doc. no. 5) of

Magistrate Judge Lenihan dated January 17, 2008, is adopted as the Opinion of the Court.

IT IS FURTHER ORDERED that the Clerk of Court mark this case **CLOSED**.

AND IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.



By the Court:
Arthur J. Schwab
United States District Judge

cc: Lisa Pupo Lenihan
United States Magistrate Judge

Charles Hines
Beaver County Jail
6000 Woodlawn Boulevard
Aliquippa, PA 15001

Charles Hines
409 Irwin Street
Aliquippa, PA 15001